

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
NEW ENGLAND CARPENTERS	)	
HEALTH BENEFITS FUND; PIRELLI	)	
ARMSTRONG RETIREE	)	
MEDICAL BENEFITS TRUST;	)	
TEAMSTERS HEALTH & WELFARE	)	
FUND OF PHILADELPHIA AND	)	
VICINITY; and PHILADELPHIA	)	
FEDERATION OF TEACHERS HEALTH	)	
AND WELFARE FUND,	)	
	)	Civil Action No. 1:05-CV-11148-PBS
Plaintiffs,	)	
	)	
v.	)	
	)	
FIRST DATABANK, INC., a Missouri	)	
Corporation; and McKESSON	)	
CORPORATION, a Delaware Corporation,	)	
	)	
Defendants	)	
_____	)	

**PLAINTIFFS' AND DEFENDANT FIRST DATABANK, INC.'S JOINT MOTION FOR  
AN ORDER GRANTING PRELIMINARY APPROVAL OF PROPOSED AMENDED  
AND RESTATED SETTLEMENT AGREEMENT, APPROVING  
JOINT NOTICE PROGRAM, AND  
SCHEDULING A FINAL FAIRNESS HEARING**

Plaintiffs and Defendant First DataBank, Inc. ("FDB") move this Court to preliminarily approve the Amended and Restated Settlement Agreement; (ii) set a schedule for the approval of a joint notice program; and (iii) schedule a final fairness hearing. In further support, we submit the following documents:

1. Plaintiffs' Memorandum of Law in Support of Joint Motion for an Order Granting Preliminary Approval of Proposed Amended and Restated Settlement, Approving Joint Notice Program; and Scheduling a Final Fairness Hearing;
2. Final Order and Judgment Certifying the Class for Purposes of Settlement, Approving of Class Action Settlement, and Dismissing the Action with Prejudice; and
3. Amended and Restated Settlement Agreement and Release.

Dated: May 29, 2008

By: /s/ Thomas M. Sobol

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**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party through the Court's electronic filing service on May 29, 2008.

/s/ Thomas M. Sobol  
Thomas M. Sobol